

Message Text

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ACTION NEA-11

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
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E.O. 11652: N/A
TAGS: CPRS, IS, JO, XF
SUBJECT: ISRAELIS MOVE AGAINST WEST BANK ABSENTEE PROPERTY OWNERS

1. AZIZ SHIHADEH, PROMINENT WEST BANK ATTORNEY, INFORMED CONGEN OFFICERS MAY 19 OF RECENT ISRAELI ACTION TO TAKE OVER REAL PROPERTIES OWNED BY ABSENTEE LANDLORDS ON WEST BANK. THIS ACTION IS AFFECTING PROPERTY HELD BY AMERICAN CITIZENS ON THE WEST BANK. SHIHADEH'S COMMENTS CONFIRM RECENT PRESS REPORTS INCLUDING JERUSALEM POST MAY 19 STORY REPORTING THAT WEST BANK LAWYERS HAVE BEEN ADVISING OVERSEAS CLIENTS THAT THEY SHOULD GET THEIR RESPECTIVE GOVERNMENT TO INTERCEDE WITH GOI TO PREVENT TAKEOVER OF PERSONAL PROPERTY BY OFFICE OF CUSTODIAN OF ABSENTEES' PROPERTY. SHIHADEH SAYS HE HAS BEEN SO ADVISING HIS CLIENTS IN THE U.S., CANADA AND LATIN AMERICA. HE REQUESTED THAT CONGEN BRING WASHINGTON'S ATTENTION TO MATTER.

2. ACCORDING TO SHIHADEH, MILGOV PUT FORTH ORDER #58 ON JULY 23, 1967, WHICH WAS PUBLISHED IN GAZETTE DATED NOVEMBER 15, 1967 WHICH, IN FACT, GAVE AUTHORITY TO CUSTODIAN

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OF ABSENTEES' PROPERTY TO TAKE OVER PROPERTY "THE LEGAL OWNER OF WHICH OR WHOSE USER...LEFT THE REGION BEFORE, ON OR AFTER THE SPECIFIED DATE (JUNE 7, 1967) AND LEFT THE PROPERTY IN THE AREA."

3. THIS ORDER WAS NEVER FULLY IMPLEMENTED BY MILGOV UNTIL RECENTLY. (ALTHOUGH WE UNDERSTAND

THAT IT WAS APPLIED AGAINST OWNERS LIVING IN ARAB COUNTRIES.)
SHIHADEH SAID THAT HE HIMSELF WAS INVOLVED IN A CASE
WHICH SERVED TO ILLUSTRATE WHAT WAS HAPPENING. HE
RECENTLY INTENDED TO PURCHASE A PIECE OF LAND NEAR
RAMALLAH FROM A CANADIAN CITIZEN. WHEN HE ATTEMPTED
TO CONSUMMATE PURCHASE, HE WAS TOLD THAT PROPERTY COULD
NOT BE TRANSFERRED TO HIM.

4. SHIHADEH ALSO CONFIRMED THAT PREVIOUS PRACTICE BY
ABSENTEE OWNERS OF GIVING POWER OF ATTORNEY TO LOCAL
RESIDENTS TO ACT ON THEIR BEHALF IN SUCH MATTERS,
INCLUDING COLLECTING RENT, HAS NOW BEEN PROHIBITED
BY MILGOV. IN RESPONSE TO OUR QUESTION REGARDING PRESS
REPORT THAT TENANTS IN JENIN AREA HAVE BEEN ASKED TO
NAME ABSENTEE LANDLORDS, SHIHADEH SAID HE COULD NOT
CONFIRM THAT REPORT.

5. COMMENT: SHIHADEH WILL TRY TO SEE DEFMIN WEIZMAN
ON THIS ISSUE HIMSELF. WE BELIEVE DEPARTMENT SHOULD
CONSIDER APPROPRIATE STEPS TO BE TAKEN TO PROTECT
INTERESTS OF U.S. CITIZENS. AS A START, EMBASSY TEL
AVIV MAY WISH TO INQUIRE OF GOI REGARDING FACTS OF
THIS REPORTED CHANGE IN POLICY.

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